

AGRICULTURAL PRESERVATION FEES

AN ORDINANCE OF THE CITY OF SAN JUAN
CAPISTRANO PROVIDING FOR THE PAYMENT
OF FEES TO BE USED FOR THE PRESERVA-
TION OF AGRICULTURAL LAND

THE CITY COUNCIL OF THE CITY OF SAN JUAN CAPISTRANO
DOES ORDAIN AS FOLLOWS:

SECTION 1. STATEMENT OF POLICY. The City Council finds and determines that the preservation of agriculture is integral to carrying out the goals and objectives of the General Plan in that the Land Use Element of the General Plan states that "the only way through which the community could maintain its agricultural and rural heritage would be to maintain a substantial portion of the valley in agriculture." The Land Use Element of the General Plan further indicates that designation of prime farmland for agricultural land use is necessary "to preserve the rural character of the community by maintaining active agricultural operations and to provide a continuing opportunity for promoting the agricultural heritage through active participation and association with agriculture."

The City Council does also reaffirm the designation of Agriculture Preservation within Priority Group I in the Open Space and Conservation Element of the General Plan inasmuch as the surge and demand for development, the resulting increase in construction, and the accompanying growth in population has, and will continue to have, the following impacts upon the City of San Juan Capistrano:

- A. That the City's capability for providing municipal services, and the cost thereof will materially increase; and
- B. That the available open space will diminish; and
- C. That the existence of agriculture, which is a valuable community resource, will be endangered; and
- D. That the City as a "small self-contained village-like community with abundant open space" which is a goal established in the General Plan will be threatened; and

Therefore, there is an urgent need for funds for the preservation of agriculture and related valuable community resources. Thus, pursuant to the taxing power of the City and solely for the purpose of producing revenues, in order to implement the goals of open space and agriculture established in the General Plan, the City Council does hereby set and establish taxes to be imposed as hereinafter set forth.

SECTION 2. DEFINITIONS. For the purpose of this ordinance, the words defined in this ordinance shall have the meanings assigned to them unless from the context it appears that a different meaning is intended.

PERSON shall mean every person, firm or corporation constructing dwelling units, commercial or industrial sites itself, or through the services of any employee, agent or independent contractor.

RESIDENTIAL UNIT shall mean a single family dwelling, a dwelling unit in a duplex, apartment house, or dwelling group which contains a kitchen, and any other place designed for human occupancy which contains a kitchen, and any space or pad in a mobilehome park designed or intended for a house trailer, mobilehome, camper or similar vehicle.

COMMERCIAL UNIT shall mean any space in a building or structure designed or intended to be occupied or used for business or commercial purposes, including sleeping rooms in hotels and motels.

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INDUSTRIAL UNIT shall mean any space in a building or structure designed or intended for manufacturing, processing, research, warehousing or similar purposes.

MOBILE PARK shall mean any area where one or more lots or spaces are rented or held out for rent to be occupied by a house trailer, mobilehome, camper or similar vehicle.

SALES PRICE shall mean the total consideration paid for the unit.

SECTION 3. TAX AMOUNT

A. Tax Imposed. A tax is hereby imposed upon the construction of each residential unit, commercial unit and industrial unit in the City.

B. Rates. The rates of the tax hereby imposed shall be set as follows:

- | | |
|------------------------------|---------------------|
| (1) Residential | \$ 500.00 per unit |
| (2) Commercial or Industrial | \$1,000.00 per acre |

SECTION 4. TAX: WHEN PAYABLE. The tax imposed by Section 3 of this ordinance shall be due and payable upon issuance of the building permit for the construction of any such residential, commercial or industrial unit or upon request for final approval and granting of a certificate of occupancy for a mobilehome park. For all such units, the tax shall be in addition to other taxes as well as to the fee required to be paid for the building permit and no such building permit shall be issued until the tax is paid. For all mobilehome spaces, the tax shall be in addition to all inspection fees required to be paid in the construction of a mobilehome park and no final approval or occupancy permit shall be granted until the tax is paid on all mobilehome spaces.

SECTION 5. OPERATIVE DATE. The tax imposed by this ordinance shall apply to the construction of all residential, commercial and industrial units or buildings, or for the construction or reconstruction of any mobilehome park, for which an application for a building permit is submitted after the effective date of this ordinance.

SECTION 6. EXCEPTION. The City Council may grant an exception to this ordinance upon the appeal of a property owner in the case of the replacement of a residential, commercial or industrial unit destroyed by fire, earthquake, flood, explosion or other disaster.

SECTION 7. EXEMPTIONS. The following shall be excluded from the tax imposed by this ordinance so long as the said use and occupancy shall continue:

A. The construction and occupancy of any residential unit which has a sales price of \$50,000 or less; or the construction and occupancy of any residential unit which is determined by the City Council to provide housing for low income residents. In the case of residential units selling for \$50,000 or less, the exemption shall be granted in the form of a refund to be paid by the City to the purchaser of the unit upon submittal of an escrow statement showing the sales price of the unit to be \$50,000 or less.

B. The construction and occupancy of any building or unit by any bank, including national banking association.

C. The construction and occupancy of any building by an insurer as that term is defined in Article XIII, Section 28 of the Constitution of the State of California.

D. The construction and occupancy of any building by the United States or any department or agency thereof, by the State of California or any department, agency or political subdivision thereof.

1. The first part of the document is a letter from the President of the United States to the Congress, dated January 3, 1801. It is a very important document, as it is the first time that the President has addressed the Congress since the establishment of the office.

2. The letter is written in a very formal and dignified style, and it is full of references to the Constitution and the principles of the new government. It is a very good example of the style of the early American Republic.

3. The letter is divided into several parts, each of which deals with a different aspect of the new government. The first part deals with the executive branch, the second with the legislative branch, and the third with the judicial branch.

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E. The construction and occupancy of any building by a non-profit corporation exclusively for religious, educational, hospital or charitable purposes.

F. In addition to the foregoing specific exemptions, where commercial, industrial or recreational uses are involved, the City Council may, upon application of any affected person, consider the exemption of all or any part of the fees where there is a long standing family ownership which will continue after development.

If any change occurs in the aforesaid uses and occupancy, the fees imposed by this Ordinance shall become fully applicable and enforceable from the date that any change in the aforesaid use and occupancy shall occur.

SECTION 8. PAYMENT REQUIRED FOR COMMENCING CONSTRUCTION. No permit shall be issued authorizing the construction of any residential, commercial or industrial unit or building or any mobilehome park in the City without the payment of the tax due under this Ordinance.

SECTION 9. REFUNDS. Any tax paid to the City under this Ordinance for any Building or unit of a building or mobilehome park which is not constructed shall be refunded upon application of the taxpayer and a showing to the satisfaction of the Director of Finance that the building or unit has not been constructed or construction commenced and that the building permit issued for the building or unit has been cancelled or surrendered or otherwise does not authorize the construction of the building or unit.

SECTION 10. DISPOSITION OF PROCEEDS. All proceeds from the tax collected under this Ordinance shall be deposited in the Agriculture Preservation Fund to be used exclusively for the purpose of preserving agriculture on lands designated for such use in the General Plan and such other related purposes as are authorized by law. Expenditures from the Agriculture Preservation Fund shall be made after the General Plan has been amended designating specific farmlands to be preserved in agriculture as a long term or permanent land use. Such expenditures from the Agriculture Preservation Fund may include, but are not limited to: (1) Construction of buffers and fences; (2) Employee housing assistance; (3) Refunds of prior capital improvement bond assessments; (4) Refunds of those portions of prior property tax payments determined to be in excess of taxes that would have been paid based only on agricultural land values; (5) Promotion of local agriculture product sales; (6) City acquisition of farmland; (7) Such other applicable expenditures as deemed appropriate by the City Council.

SECTION 11. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance. The City Council of this City hereby declares that it would have adopted this Ordinance and section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 12. REVENUE MEASURE. This Ordinance is a revenue measure and under the provisions of Section 36937 of the Government Code must take effect immediately upon its passage. Before the expiration of fifteen (15) days after its passage, the City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted in the duly designated posting places within the City of San Juan Capistrano, and said Ordinance shall be in effect immediately upon its adoption.

The first part of the report deals with the general situation of the country. It is a very interesting and informative study of the country's development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's development.

The second part of the report deals with the economic situation of the country. It is a very interesting and informative study of the country's economic development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's economic development.

The third part of the report deals with the social situation of the country. It is a very interesting and informative study of the country's social development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's social development.

The fourth part of the report deals with the political situation of the country. It is a very interesting and informative study of the country's political development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's political development.

The fifth part of the report deals with the cultural situation of the country. It is a very interesting and informative study of the country's cultural development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's cultural development.

The sixth part of the report deals with the environmental situation of the country. It is a very interesting and informative study of the country's environmental development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's environmental development.

The seventh part of the report deals with the future of the country. It is a very interesting and informative study of the country's future development. The author has done a great deal of research and has gathered a wealth of material. The report is well written and is a valuable contribution to the study of the country's future development.

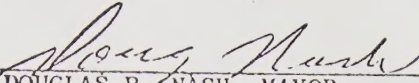
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PASSED, APPROVED, AND ADOPTED this 19th day of January
1977, by the following vote, to wit:

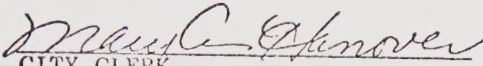
AYES: Councilmen Friess, Heckscher, and Mayor Nash

NOES: Councilmen Sweeney and McDowell

ABSENT: None


DOUGLAS B. NASH, MAYOR


ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF SAN JUAN CAPISTRANO)

I, MARY ANN HANOVER, City Clerk of the City of San Juan Capistrano, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Ordinance No. 316, adopted by the City Council of the City of San Juan Capistrano, California, at a regular meeting thereof held on the 19th day of January, 1977.

(SEAL)


MARY ANN HANOVER, CITY CLERK

THE
OFFICE OF THE
ATTORNEY GENERAL
STATE OF NEW YORK
ALBANY
JANUARY 10, 1901
TO THE
COMMISSIONER OF THE
LAND OFFICE
SIR:
I have the honor to acknowledge the receipt of your letter of the 7th inst. in relation to the application of the State of New York for the purchase of the land owned by the State of New York, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.

GENERAL PLAN AMENDMENT 77-1 (AGRICULTURE PRESERVATION)

INSTITUTE OF GOVERNMENT
STUDIES LIBRARY

OCT 1-9 1973

UNIVERSITY OF CALIFORNIA

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN JUAN CAPISTRANO, CALIFORNIA,
ADOPTING GENERAL PLAN AMENDMENT 77-1
(AGRICULTURE PRESERVATION)

WHEREAS, on January 5, 1977, the City Council initiated General Plan Amendment 77-1 to include revisions to the Composite General Plan Map and text to provide for the preservation of agriculture on certain lands designated Area 1 and Area 2 (Exhibit B); and,

WHEREAS, the City's Environmental Review Board reviewed the proposed Amendment and determined that an Environmental Impact Report should be prepared; and,

WHEREAS, a draft Environmental Impact Report has been prepared and accepted by the Environmental Review Board; and,

WHEREAS, the Planning Commission has held a duly-advertised public hearing on March 8, 1977, received public testimony, reviewed the staff report, Environmental Impact Report, and other relevant material concerning the Amendment, and considered all of the above in light of the goals and policies of the General Plan; and, at an adjourned regular meeting held on March 15, 1977, recommended the adoption of General Plan Amendment 77-1 pursuant to Resolution PC 77-3-15-1; and,

WHEREAS, the City Council has held a duly-advertised public hearing on March 16, 1977, received public testimony, reviewed the Environmental Impact Report and other relevant material concerning the Amendment, and considered all of the above as it relates to the goals and policies of the General Plan; and,

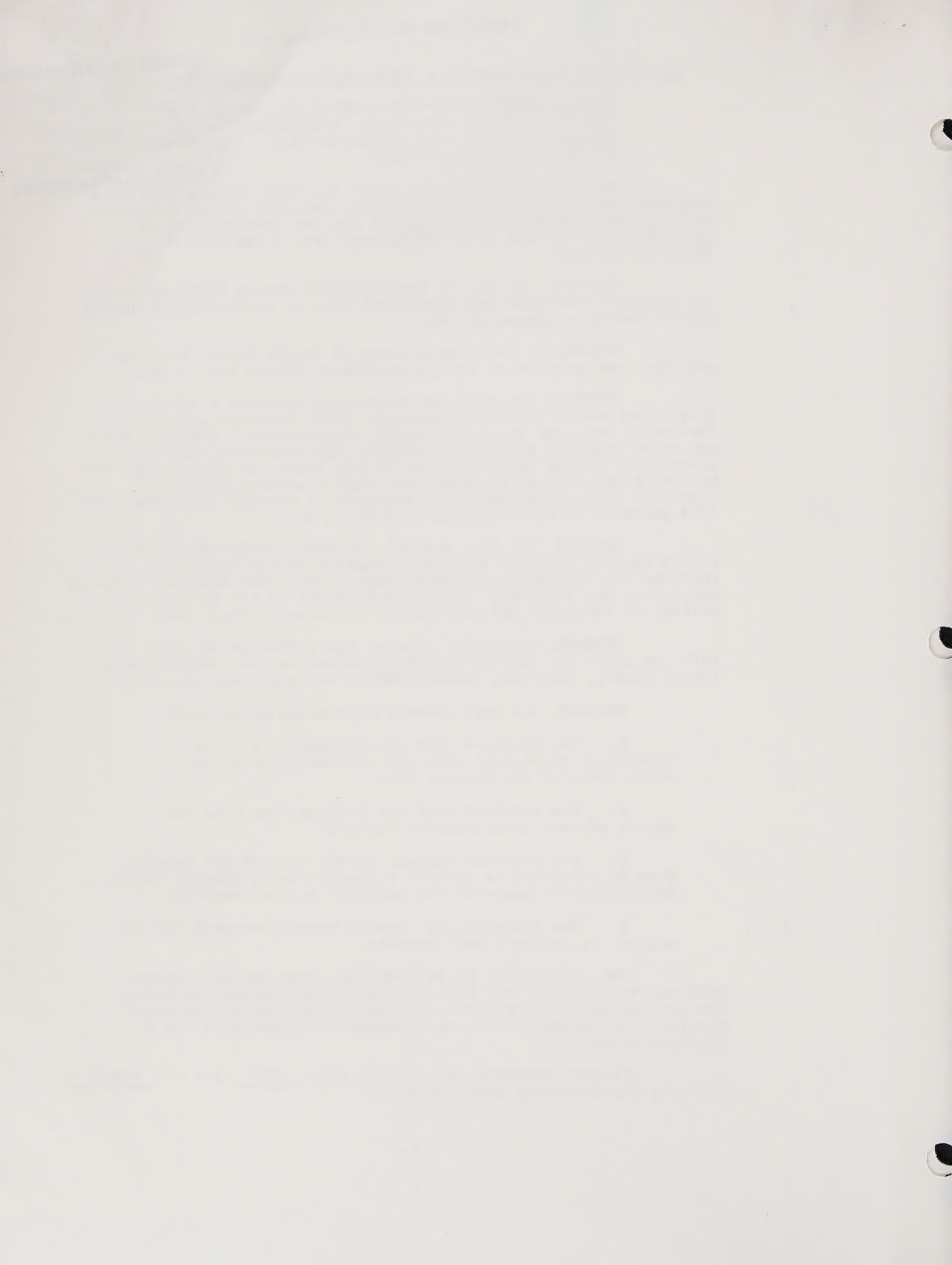
WHEREAS, the public hearing was continued to April 6, 1977, to allow for the 30-day review period for the Environmental Impact Report, whereupon further public testimony was received.

WHEREAS, the City Council determines as follows:

1. The proposed land use designated will be internally consistent with and implement one of the major goals of the General Plan.
2. The proposed land use designations will not create adverse environmental impacts.
3. The proposed changes to the text of the General Plan as contained in Exhibit A appropriately address intent, implementation measures and benefits to the community.
4. The Environmental Impact Report prepared for the project is complete and adequate.

NOW, THEREFORE, BE IT RESOLVED, that the City Council does hereby find that the Environmental Impact Report prepared for the project is certified as adequate and does hereby adopt General Plan Amendment 77-1 as contained in Exhibits A and B attached hereto.

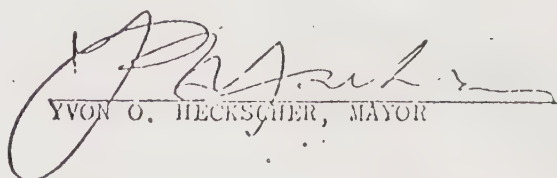
PASSED, APPROVED AND ADOPTED this 6th day of April, 1977, by the following vote, to wit:



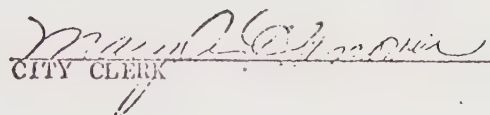
AYES: Councilmen Friess, Nash,
and Mayor Heckscher

NOES: Councilmen Sweeney and McDowell

ABSENT: None


YVON O. HECKSCHER, MAYOR

ATTEST:


CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF SAN JUAN CAPISTRANO)

I, MARY ANN HANOVER, City Clerk of the City of San Juan Capistrano, California, DO HEREBY CERTIFY that the foregoing is a true and correct copy of Resolution No. 77-4-6-1 adopted by the City Council of the City of San Juan Capistrano, California, at a regular meeting thereof held on the 6th day of April, 1977.

(SEAL)


MARY ANN HANOVER, CITY CLERK

Agricultural Land Uses (Page 12)

The preservation and perpetuation of agriculture is an essential part of the General Plan. In the review process it became evident that the only way through which the community could maintain its agricultural and rural heritage would be to maintain a substantial portion of the valley in agriculture.

The Open Space and Conservation Element relates that of the more than 800 acres of Class I soils in the City, over 400 acres have already been developed. In order to halt this consumption of valuable production land, the Composite Land Use Map designates approximately 230 acres for permanent agricultural uses. This designation has been applied in order to insure the implementation of the following policies:

"The underlying growth philosophy should be to preserve the present character of a small self-contained village-like community with abundant open space."

"To provide the opportunity for the production of crops in and for the community."

"To preserve the rural character of the community by maintaining active agricultural operations."

"To provide a continuing opportunity for promoting the agricultural heritage through active participation and association with agriculture."

"Because the sprawl of development into nearby agricultural areas has systematically diminished the available amount of agricultural land and has generated serious land use conflicts between existing agricultural and encroaching development, further encroachment into prime agricultural lands should be curtailed; however, some limited development may be allowed on the fringe area to complete logical urban development patterns and to assure a well-defined, stable demarcation between urban and agricultural uses."

"That the conversion of prime agricultural lands to urban uses unnecessarily increases the costs of community services to community residents."

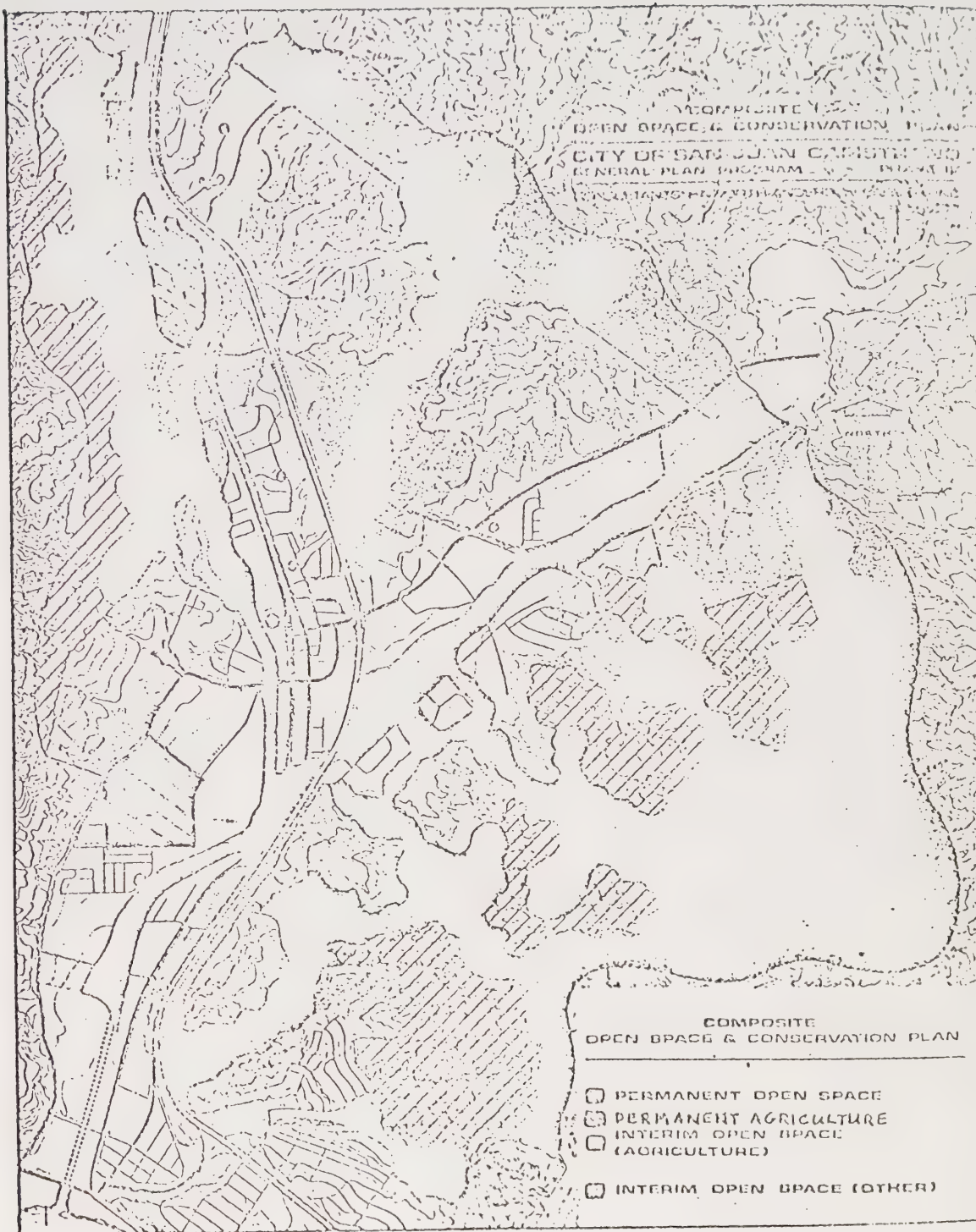
Specific farmlands to be preserved are shown on the Composite Land Use Map as 4.2 "Agri-business." The City zoning ordinance (Land Use Management Code) shall provide for such properties to enjoy the widest range of open field agricultural uses. Amendments to the LUMC are recommended in order to (1) make permitted uses more consistent with farmers needs for flexibility, (2) provide adequate control of permitted uses to assure that compatibility and open space are maintained, and (3) prevent breaking up existing farms into 5-acre lots. Accessory support uses such as employee housing and retail outlets shall also be accommodated. The intent of the agri-business designation is to recognize agriculture as a type of business activity which will thrive best on an economic climate favorable to production and sales of agricultural products. Thus, when viewed as a business activity, it will be apparent that restrictions on farm operations would be counter-productive to preservation of agriculture. Further, it gives appropriate perspective to City incentive programs which may become important measures in maintaining farm uses in the community.

In applying the permanent agricultural use designation, and in acknowledging the fact that the economic future of agriculture is threatened by many factors (e.g., inflation in costs of labor, energy, materials, and borrowing; production cost increases resulting from past development policies, high tax and utility assessments; conflicts with vandalism from nearby urban development), the City shall prepare an Agricultural Preservation Action Program which will provide financial or other methods of assistance to preserve agriculture. The City shall respond with appropriate incentive measures in the event that it is determined that the economic viability of any farm operation within the preserve areas requires such assistance. Further, the City shall proceed immediately to implement legislative and tax reduction measures.

The Open Space and Conservation Element designates other areas, currently in agricultural uses (including grazing), which are considered to be temporary in nature. Although these lands are given land use designations in the Land Use Element, they should be zoned as Growth Management or General Agriculture in order to:

"Promote agriculture as a short-term use," and

"As a growth management device."



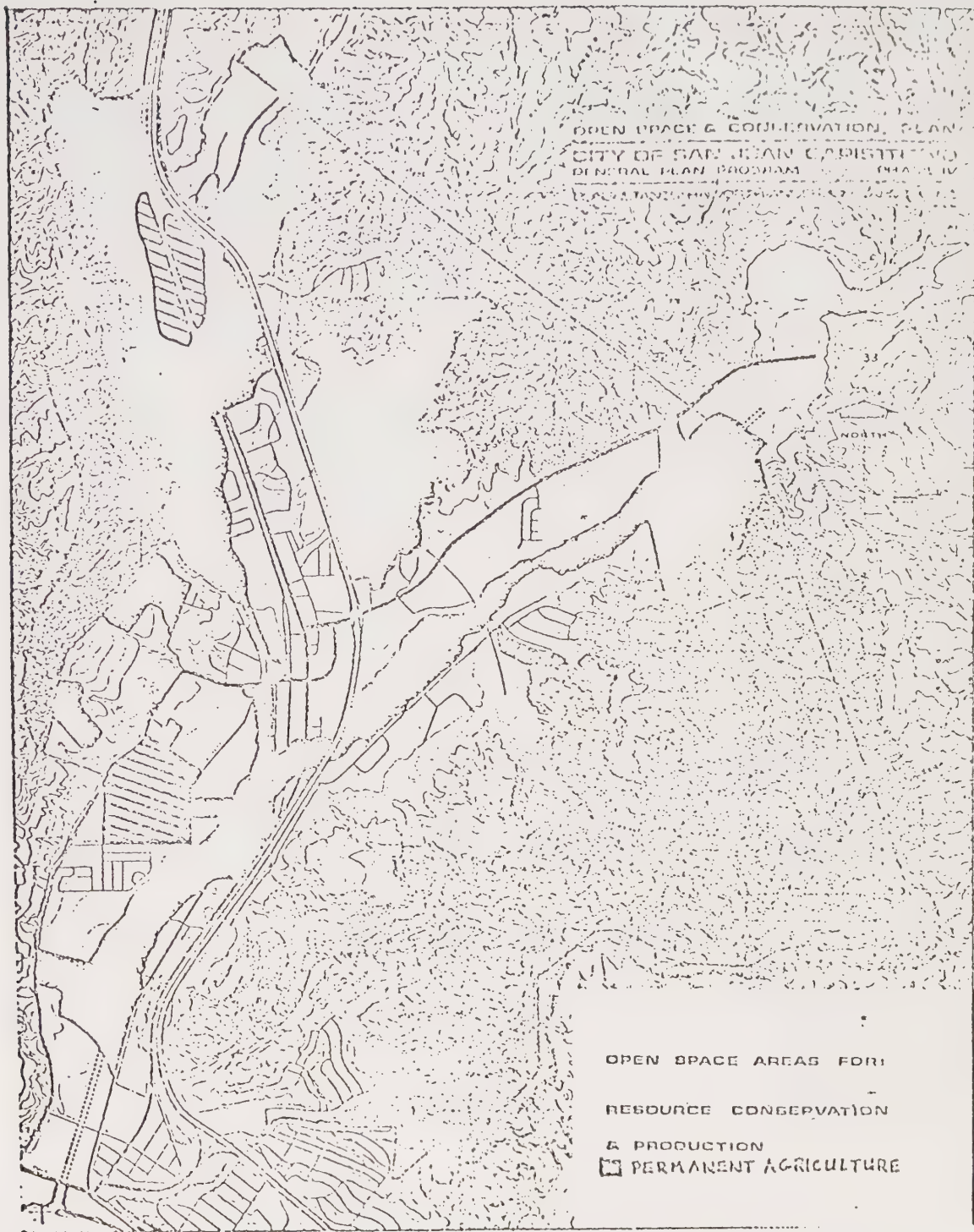


EXHIBIT A

Summary of Findings (Page 17)

The two areas designated for permanent agriculture will be zoned for that use. Said designation has been applied to the subject areas in order to ensure conformance with the following policies:

The designated 230 acres of prime agricultural land shall be maintained in agricultural use. These lands should be protected both to meet current agricultural production and as a land reserve to meet future food production needs.

Agricultural lands have a definite public value as open space and that preservation of such lands constitutes an important physical, social, aesthetic and economic asset to the community.

The City will take measures necessary to promote the long-range economic viability of farming on these properties. Immediate efforts will be made to reduce taxes and to adopt ordinances and general plan amendments conducive to farming. A comprehensive incentives plan will be developed, assuring City assistance to cope with other obstacles to continued agricultural operations.

The various areas.....

Implementation Measures (Pg. 35)

(Open Space - Action Program)

Add following Resource Management Program Section

Agriculture Preservation Program

The City of San Juan Capistrano recognizes the many inherent benefits of maintaining agriculture land use in the community. Added tax burden, congestion and loss of open space are avoided. The rural character of the community is preserved. Important natural resources are conserved, including lower consumption of water. Further degradation of the natural environment is averted and a local food source maintained.

In addition to measures preventing development of land in the two preserve areas (i.e., zoning and general plan designations) the City will take positive steps to enhance the economic viability of farming. An Incentive Program will be developed and administered in order to keep these lands in agriculture and to avoid or prolong the necessity for public acquisition. Specific incentives to be considered are:

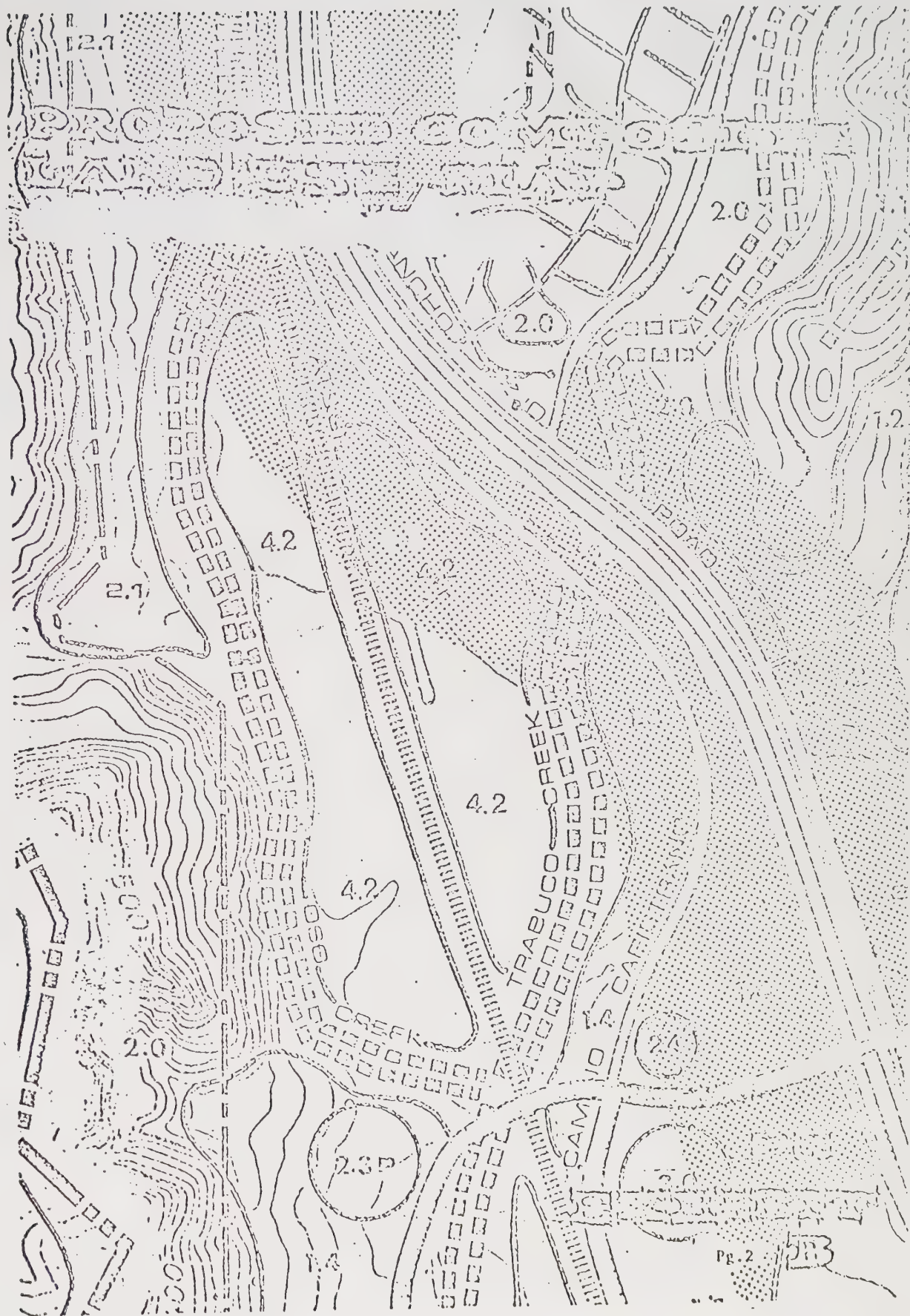
- (1) Promote understanding and assistance through a public relations program with City residents and other government agencies.
- (2) Provide assistance to prevent vandalism and theft.
- (3) Minimize potential land use conflicts through planning and development policies near agriculture lands and capital projects (road alignments, etc.).
- (4) Insure adequate access for farm and farm-related activities.
- (5) Capital projects to correct drainage problems.
- (6) Assistance with labor supply and employee housing.
- (7) Offer Williamson Act and other agreements resulting in reduced taxes.
- (8) Explore the feasibility of tax refunds and lower rates.
- (9) Promote locally-grown farm products.

- (10) Assist establishment of joint operations or cooperatives.
- (11) Financial assistance with crop conversion costs.
- (12) Assurance of water supply.
- (13) Provide competent estate planning assistance.
- (14) Establish by mutual agreement with landowners an equitable compensation program upon future sale of farmland.
- (15) Establish a value mechanism (e.g. development right transfer) so that appropriate compensation for the effect of General Plan Amendment 77-1 upon the value of such property will be provided for.

All of the above incentive measures are fully discussed in the background materials with GPA 77-1.



EXHIBIT B





01379

Preserving the Rural Heritage

by Loretta A. Murray
Assistant to the City Manager
San Juan Capistrano, California



James S. Mocalis

San Juan Capistrano was settled in 1776 with the founding of the Mission San Juan Capistrano. It is a beautiful coastal valley community surrounded by rolling green hills of approximately 13 square miles whose quaint semi-rural character and heritage is largely attributable to the local agricultural environment of orange orchards and row crop farming.

San Juan Capistrano's desirable location and pleasant environment has made it a prime target for the highly competitive development market in southern California. During the early 1970s it was the fastest growing city in California.

It was because of this development pressure on the available open, flat, agricultural land that the city took steps to preserve this important resource. During the development of the city's general plan, deliberate efforts and conscious decisions were made regarding the protection and preservation of the city's semi-rural environment and agricultural resources.

Under the administrative direction of City Manager James S. Mocalis, the city developed a comprehensive program incorporating administrative, fis-

cal, and technical resources which work together to preserve the agricultural resources of the community.

Agricultural Preservation Program

The nature and purpose of the four primary components of the program are briefly summarized to show how they interact to meet the overall goal of agricultural preservation:

Agricultural Preservation Committee

The committee, composed of a councilmember, the city manager, a local farmer, the city attorney, and the director of planning, was formed to develop and recommend a comprehensive plan to the city council for agricultural preservation techniques and policies, to develop funding mechanism, provide technical information to the press and public, and develop incentive measures for farmers to preserve agriculture as a viable resource.

Agricultural Preservation Fund Ordinance

In order to secure funding for incentives to preserve agriculture without raising general taxes, the city adopted an ordinance imposing a fee on the construction of each new residential, commercial, and industrial unit in the city, which will generate \$2,900,700 in revenues by the time the city is fully developed.

General Plan Amendment

Under the 1977 General Plan Amendment, 230 acres of prime farmland in the city were rezoned from residential to agri-business after many meetings with farmers and concerned landowners, in conjunction with public hearings. By designating these lands as agricultural preserves, they will be permanently preserved for aesthetic and productive use. The properties chosen have prime agriculture soil, are level and currently devoted to agriculture, and are composed of large parcels in individual ownership.

Agricultural Preservation Incentives

To assist farmers in maintaining agriculture as a viable and financially productive land use in the face of surrounding development pressure, a comprehensive incentives program is being administered by the city through revenue from the Agricultural Preservation Fund, providing incentives of three types:

- Financial Incentives—such as land use agreements to reduce taxes through lower assessments.
- Physical Incentives—which have included requests by farmers for such things as installation of protective fencing, posting of no trespassing signs, and funding of drainage projects.
- Estate Incentives—which include providing technical and legal assistance in such areas as inheritance tax issues.

Community Support

The agricultural preservation program has won the overwhelming support of the community. In the recent (March 1978) municipal elections three "agricultural preservation, slow growth" candidates won a decisive victory endorsing the agricultural program. In addition, an initiative ballot measure endorsed by developers and other special interest groups to repeal the agricultural preservation program was soundly defeated by the voters.

One of the more unique aspects of the program is the centralized location of the agriculture preserves which are situated adjacent to residential tracts and approximately one mile from the central business district and the historic mission. The preserves are highly visible to residents, tourists and commuters, and act as a daily reminder of the agricultural heritage of the community.

Program Results

The inherent public benefits resulting from the preservation of agriculture in the city of San Juan Capistrano include retention of open space in the community, preservation of the natural, semi-rural environment, and reduction of costly municipal services if the land were used for residential development.

The program has served to make the local community and other interested observers aware of the importance of maintaining a proper balance of rural and urban life, and has established innovative methods to protect agricultural land from development pressures.

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INCENTIVE PROGRAM

Most of these incentives have been identified through conversations with individual landowners. The various alternatives have not been fully researched or expanded upon, nor is the listing exhaustive of all possibilities. All of these items are in the process of being evaluated in terms of feasibility, desirability, and effectiveness.

I. Incentive Program for Landowners in Permanent Agriculture Preserve Area

A. PHYSICAL INCENTIVES

1. Assistance in Preventing Unauthorized Intrusion/Vandalism
 - a. fencing
 - b. warning signs
2. Assistance in Providing Adequate Drainage and Flood Control
3. Access to Properties
 - a. Insure continued access
 - b. Improve Access-ways Where Necessary
4. Eliminate Incompatible Land Use
 - a. Provide for buffer zones
 - b. Separate residential development and commercial areas from farming operations
5. Minimize Restrictions for Utility Improvements
6. Re-examine Restrictions on Farming Operation
 - a. Dust control requirements
 - b. Odor control requirements
7. Improve Public Relations
 - a. Relations with local residents
 - b. Publicize San Juan Capistrano as a model for other communities desiring agricultural preservation
8. Examine Labor Potential in Programs Such as the California Conservation Corps to Implement Community Public Service Projects

B. ECONOMIC INCENTIVES

1. Lower Property Taxes
 - a. Utilize preserve agreements, i.e. Williamson Act to lower taxes

- b. Lobby for assessment practices which would reflect agriculture A.V., not market value A.V.
- c. Zone to permanent agriculture - to strengthen agricultural A.V. position.

2. Refund Taxes

- a. Prior capital improvement assessments
- b. Prior property taxes paid above the agricultural A.V.

3. Lower Utility Rates

- a. Subsidization of irrigation water costs
- b. Discount rates or subsidies for electricity, sewer services, fuel, etc.

4. Promotion of Products

- a. Local retail sales
- b. Wholesale regional sales

5. Cooperative Operations Assistance

- a. Equipment, labor management
- b. Farming co-ops

6. Housing and Labor Security

- a. Assistance in providing adequate housing via HCDA grants
- b. Assuring adequate labor supply

7. City Assurances that Resources are Available to Implement Plans

- a. Spread costs equally and fairly
- b. Property taxes
- c. Development fees
- d. Land rentals
- e. Bonding
- f. State and federal grants
- g. Savings realized in City services costs

C. ESTATE INCENTIVES

1. Planning Assistance for favorable capital gains and inheritance tax purposes

2. Long Term Purchase Agreements

- a. Purchase of development rights
- b. Total purchase/lease back
- c. Total purchase/departure (lease to another party)

3. Land Value Assurances for Liquidation Purposes

4. Land Use Alternative in Case of City Default

II. Incentive Program for Landowners Not Within the Agriculture Preserve Area

A. PHYSICAL INCENTIVES

(same incentives would be afforded as outlined in I.A of this outline)

B. GUARANTEE FULL DEVELOPMENT POTENTIAL PER THE GENERAL PLAN

C. CITY TO INITIATE EFFORT TO ELIMINATE THE COASTAL COMMISSION SEWER RESTRICTIONS

1379

BENEFITS AND INCENTIVES FOR CITY RESIDENTS
WHICH WOULD RESULT FROM AGRICULTURE PRESERVATION PROGRAM

The following outline briefly examines some of the beneficial aspects of the Agriculture Preservation Program. It is divided into Financial, Environmental, Social, and Historical aspects,

I. FINANCIAL ASPECTS

A. If Residential Development Occurs in the Proposed Agriculture Preserve Area

1. Approximately 955 new units would be built with 2865 new residents.
2. Costs would rise to provide services for the new residents:
 - a. New roads and road repairs
 - b. Sewers
 - c. Animal control
 - d. Police and fire protection
 - e. Municipal facilities
 - f. New school facilities
3. Taxes would increase because revenues would not keep up with escalated costs of municipal services.

B. If the Agriculture Preserve Program is Instituted

1. Savings realized in City services costs would essentially pay for program.
2. School district would not need to provide new schools for new influx of students.
3. City could maintain a lower tax rate.
4. City is receiving revenue from development fees.
5. State and federal grants are available for funding of the program.
6. Program will pay for itself.

II. ENVIRONMENTAL ASPECTS

A. Preserve Rural Character of San Juan Capistrano

1. Objective established in General Plan.
2. Desirability of area due to unique character.

B. Open Space

1. Scenic atmosphere
2. Preserve valley

C. Diversity of Scenery

1. Row crop land
2. Orchards
3. Farming operations and farming activity

D. Less pollution

1. Fewer cars - less smog
2. Less traffic congestion

E. Water Availability

1. Land in agriculture uses 25-50% less water per acre than land in residential use

III. SOCIAL ASPECTS

A. Preserving Land in Agriculture Would Result in Less Crowding

1. Schools

- a. .Overcrowding would not occur in present schools
- b. New schools would not be needed

2. Parks and recreational facilities would be more easily accessible and usable

3. Roads and traffic conditions

- a. No new traffic would be generated in the valley area.
- b. There would be less congestion throughout City.

4. Shopping and other facilities would be less crowded

Project Description

The purpose of this project is to develop a system for the automatic processing of data from the various sources of information available to the project.

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B. Small Town Community Atmosphere

1. Maintain small population - largeness breeds unfamiliarity
2. Preserve traditions

C. Educational Benefit

1. Maintain agriculture as a way of life
2. Show place farms
3. Community gardens

D. Food Source

1. Availability of fresh, locally grown produce
2. Contributor to area food retailers

IV. HISTORICAL ASPECT

A. Oldest Industry in San Juan Capistrano

B. Local Families Continue Farming After Many Generations

C. Maintain the Heritage and Traditions of Area to be Enjoyed by Future Generations

